

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FRANK BELLUE,

V.

GARY KRESGE, *et al.*,

Defendants.

Case No. C18-0855RSL

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

This matter comes before the Court on plaintiff's "Motion for Reconsideration." Dkt.

16. On September 14, 2018, the undersigned dismissed with prejudice all claims against all defendants other than a claim that Gary Kresge and Jeff Larson violated plaintiff's First Amendment rights by recommending that plaintiff be fired from his prison job in retaliation for a grievance plaintiff filed. Dkt. # 10. Plaintiff filed this motion for reconsideration on November 20, 2018, arguing that Ron Klamert was also involved in the alleged retaliatory conduct and seeking reinstatement of the retaliation claim against that defendant.

Motions for reconsideration are disfavored in this district and will be granted only upon a “showing of manifest error in the prior ruling” or “new facts or legal authority which could not have been brought to [the Court’s] attention earlier with reasonable diligence.” LCR 7(h)(1). In addition, such motions must be filed within fourteen days of the order to which it relates. LCR 7(h)(2). Plaintiff’s motion was filed more than two months after the Court issued its order and is therefore untimely. In addition, plaintiff has not shown manifest error. His allegations against

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1 defendant Klamert are based on his supervisory position and the conclusory allegation that
2 Klamert joined an on-going conspiracy: as such they are substantively different from his
3 allegations against defendants Kresge and Larson. Even if the motion for reconsideration were
4 not procedurally defective, plaintiff has not met his burden under LCR 7(h)(1). The motion for
5 reconsideration is therefore DENIED.

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7 Dated this 23rd day of January, 2019.

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10 Robert S. Lasnik
11 United States District Judge